WP 7846/03 (13)

IN THE MADHYA PRADESH ADMINISTRATIVE TRIBUNAL AT JABALPUR

O.A.No. 3018/1992
W.P. no. 6596/05

APPLICANT: Arvind Khare S/o Shri Rajbahadur Khare aged 34 years, working as Lab.Assistant, in the office of Principal, Government Higher Secondary School (Adim Jati Kanya Uchchtar Madhyamik Vidhyalaya) Sonhat, Tahsil Baikunthpur, Dist.Surguja M.P.

-Versus-

RESPONDENTS:
1. State of Madhya Pradesh, Through, The Secretary, Adim Jati Anusuchit Jati Avm Pichhra Warg, Kalyan Vibhag, Bhopal
2. Additional Commissioner, Adim Jati Avam Anusuchit Jati Kshatriy Vikas Pradhikaran, Bilaspur
3. Principal, Govt. Higher Secondary School, Sonhat Tahsil Baikunthpur Dist.Surguja M.P.

APPLICATION U/S 19 OF THE ADMINISTRATIVE TRIBUNALS ACT,85

(34)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.659 OF 2006

Petitioner : Arvind Khare

versus

Respondents : State of Madhya Pradesh (now Chhattisgarh) and others

Present : Mr. Anil Kumar Pandey, counsel for the petitioner.
Mr. V.V.S.Moorthy, Deputy Advocate General with Mr. Sushil Dubey, Government Advocate for the respondents/State.

ORDER
(Passed on 12th Day of December, 2006)

The petitioner was initially appointed as Lab-Assistant by order dated 13-8-1988 (Annexure A-1). Thereafter, the petitioner was regularised on the said post by order dated 17-2-1990 (Annexure A-3). The appointment of the petitioner on regular post was cancelled by order dated 17-11-1992 (Annexure A-4) and thereafter he was terminated from the service by order dated 23-11-1992 (Annexure A-5).

2. Being aggrieved, the petitioner has filed this petition seeking quashing of the order dated 17-11-1992 (Annexure A-4) and the order dated 23-11-1992 (Annexure A-5) and further for a direction to deem the petitioner as appointed on regular basis since 22-8-1988.

(35)

3. The respondents have filed their return on 26-4-1994 stating as under :-

> "2. The answering respondents, most humbly submits that as per the Government instructions with regard to regularization of daily wages employees are, they should have completed 5 years of service on daily wages and then there would be given the regular pay-scale after being screened by the regular screening committee. Copy of the Government order is enclosed herewith as Annexure R.I. The case of the applicant would now be considered in the month of April'94 by the screening committee and if found fit he would be regularised."

4. Learned counsel appearing for the petitioner submits that this petition be disposed of in view of the submission made by the respondents to regularise services of the petitioner after completion of five years.

5. For the submission made by the respondents in their return, this petition is disposed of accordingly. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bopal